

ORIGINAL

LAW OFFICES OF
STRICKLAND & STRICKLAND

A PROFESSIONAL CORPORATION
4400 EAST BROADWAY
SUITE 700

TUCSON, ARIZONA 85711-3555
TELEPHONE: (520) 795-8727
FAX: (520) 795-5649
E-MAIL: law@stricklandlaw.net



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WILLIAM E. STRICKLAND, JR.
ROBERT F. PALMQUIST
EDWARD R. ROYBAL, II*
AMY COURSON
*Licensed in Arizona and California

WILLIAM E. STRICKLAND
1923-2008

MESA OFFICE
2921 North Power Road
Suite 101
Mesa, Arizona 85215
Telephone: (480) 854-8474
Fax: (480) 854-8687

March 26, 2010

Arizona Corporation Commission
Docket Control
1200 West Washington Street
Phoenix, Arizona 85007

**Re: Notice of Filing of Resolution of the Ak-Chin Indian Community Council
Docket No. E-01345A-08-0426**

Dear Sir/Madam:

Please find enclosed for filing the Original and Thirteen (13) copies of the Notice of Filing of Resolution of the Ak-Chin Indian Community Council in the above-referenced matter on behalf of the Ak-Chin Indian Community.

I have this date mailed a copy of the enclosed to all parties as listed on the Certificate of Service.

I have also enclosed a copy of the Notice that I would request your conforming and returning to this office in the enclosed self-addressed stamped envelope.

Very truly yours,

STRICKLAND & STRICKLAND, P.C.

Robert F. Palmquist
General Counsel to the Ak-Chin Indian
Community

Arizona Corporation Commission

DOCKETED

MAR 29 2010

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| DOCKETED BY | |
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RFP/rjl
Enclosures

RECEIVED
2010 MAR 29 P 2:04
CORP COMMISSION
DOCKET CONTROL

RECEIVED

2010 MAR 29 P 2:04

BEFORE THE ARIZONA CORPORATION COMMISSION

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

KRISTIN K. MAYES
Chair
GARY PIERCE
Commissioner
PAUL NEWMAN
Commissioner
SANDRA D. KENNEDY
Commissioner
BOB STUMP
Commissioner

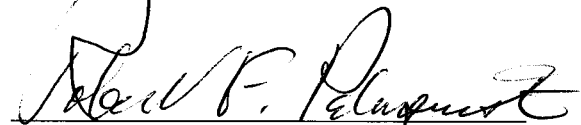
DOCKET NO. E-01345A-08-0426

IN THE MATTER OF THE SALE AND
TRANSITION BY ARIZONA PUBLIC
SERVICE TO ELECTRICAL DISTRICT
NO. 3 OF CERTAIN ELECTRICAL
FACILITIES IN PINAL COUNTY
PURSUANT TO A.R.S. § 40-285(A) AND
FOR DELETION FROM ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY
CERTAIN AREAS OF PINAL COUNTY.

**NOTICE OF FILING OF RESOLUTION OF THE
AK-CHIN INDIAN COMMUNITY COUNCIL**

Ak-Chin Indian Community, a federally recognized Indian Tribe, hereby files the attached Resolution of the Ak-Chin Indian Community Council dated March 3, 2010, as a Public Comment to the above-captioned proceedings.

Respectfully submitted,



Strickland & Strickland, P.C.
General Counsel Ak-Chin Indian Community
4400 East Broadway, Suite 700
Tucson, Arizona 85711
Telephone: (520) 795-8727
E-mail: law@stricklandlaw.net

1 Dated at Tucson, Arizona
this 26 day of March, 2010.

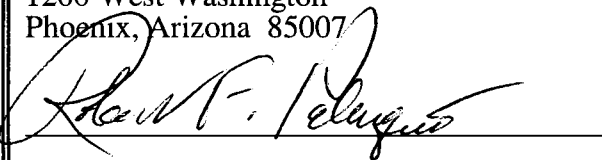
2 Original of the foregoing mailed this 26th
3 day of March, 2010 for filing to:

4 Arizona Corporation Commission
5 Consumer Services Section
6 1200 West Washington Street
7 Phoenix, Arizona 85007

8 -and-

9 Second Original and 13 copies of the foregoing
10 mailed this 26th day of March 2010, for
11 filing with:

12 Docket Control
13 Arizona Corporation Commission
14 1200 West Washington
15 Phoenix, Arizona 85007

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing documents on all parties of record in
this proceeding by mailing a copy thereof, properly addressed with first class postage prepaid to the
following:

Janice Alward, Chief Counsel
Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007-2927

Thomas L. Murnaw
Meghan H. Gabel
Arizona Public Service co.
P.O. Box 53999
Phoenix, Arizona 85072-3999

1 Steve Olea, Director
Utilities Division
2 Arizona Corporation Commission
1200 West Washington Street
3 Phoenix, Arizona 85007-2927

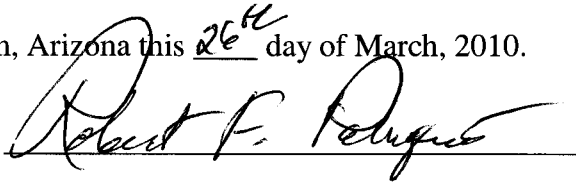
4 Denis M. Fitzgibbons
FITZGIBBONS LAW OFFICES, PLC
5 P.O. Box 11208
Casa Grande, Arizona 85130
6 Attorneys for City of Maricopa

7 Craig A. Marks, PLC
8 CRAIG A. MARKS, PLC
10645 North Tatum Blvd., Suite 200-676
9 Phoenix, Arizona 85028
Attorneys for Pinal Energy

10 Paul R. Orme
11 LAW OFFICES OF PAUL R. ORME, P.C.
H.C. 63, Box 3042
12 Mayer, AZ 86333

13 John P. Coyle, Esq. (*pro hac vice*)
Paul M. Breakman, Esq. (*pro hac vice*)
14 Duncan & Allen
Suite 300
15 1575 Eye Street, N.W.
Washington, D.C. 20005-1175

17 Dated at Tucson, Arizona this 26th day of March, 2010.

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AK-CHIN INDIAN COMMUNITY COUNCIL

42507 W. Peters & Nall Road
Maricopa, Arizona 85138
Telephone: (520) 568-1000



Resolution No. **A-33-10**

RESOLUTION OF THE AK-CHIN INDIAN COMMUNITY COUNCIL

(A RESOLUTION SUPPORTING APPROVAL BY THE ARIZONA CORPORATION COMMISSION OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY TO SELL CERTAIN ELECTRICAL FACILITIES AND TO DELETE AREAS SERVED BY ELECTRICAL DISTRICT No. 3 OF PINAL COUNTY FROM ITS CERTIFICATE OF CONVENIENCE AND NECESSITY (ACC DOCKET No. E-01345A-08-04226))

WHEREAS, Electrical District No. 3 ("ED3") was formed in 1926 to provide electrical power and energy in Pinal County, acquired electric transmission and distribution facilities in 1961, and terminated its grant of a lease of those facilities to another utility and recovered operational control of its electrical system effective October 9, 2001; and

WHEREAS, the Ak-Chin Indian Community recognizes ED3 as an important strategic partner in the area's development and as a reliable provider of electrical service to Pinal County area; and

WHEREAS, ED3 has made significant investments in electrical infrastructure and operations capability and has undertaken substantial efforts over the period since October 9, 2001, when it reacquired operational control of its electrical system, to ensure the availability of adequate, safe, reliable and economical retail electric service to the greater Maricopa area at a time critical to the growth of the County; and

WHEREAS, the interests of the Ak-Chin Indian Community in maintaining an adequate, safe, reliable and economical supply of electric service would best be served by consolidating electric utility operations in the greater Maricopa area in the hands of a single utility; and

WHEREAS, the benefits to the citizens of the Ak-Chin Indian Community and surrounding areas that would result from the approval of the application of the Arizona Public Service Company now pending before the Arizona Corporation Commission in Docket No. E-1345A-08-0426 for authorization to sell certain of its facilities to ED3 and to delete areas served by ED3 from Arizona Public Service Company's certificate of convenience and necessity include, but are not limited to: (i) greater safety, efficiency, and reliability of retail electric service due to the elimination of overlapping

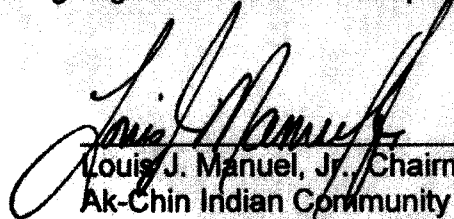
responsibilities between two utilities for maintenance and emergency response; and (ii) lower capital costs for the remaining utility due to the elimination of the risk of migration of load, which tend to result in lower rates to consumers.

WHEREAS, the Ak-Chin Council has previously expressed its support for the application in a conference call with staff and legal counsel for the Arizona Corporation Commission.

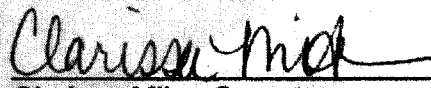
NOW, THEREFORE, BE IT RESOLVED that the Ak-Chin Indian Community supports the application of the Arizona Public Service Company now pending before the Arizona Corporation Commission in Docket No. E-1345A-08-0426 for authorization to sell certain of its facilities to ED3 and to delete areas served by ED3 from its certificate of convenience and necessity, and urges the Commission to grant that application in all respects.

C- E- R- T- I- F- I- C- A- T- I- O- N

Pursuant to authority in Article VIII, Section 1(a), (c), (d), and (m) of the Articles of Association of the Ak-Chin Indian Community, approved by the Secretary of the Interior on December 20, 1961, by a quorum of 4 members present at a Regular Council meeting held on March 3, 2010, at the Ak-Chin Reservation, Arizona, by a vote of 4 for, 0 against, 0 not voting, and 1 absent, the foregoing Resolution was adopted.


Louis J. Manuel, Jr., Chairman
Ak-Chin Indian Community Council

ATTEST:


Clarissa Mike, Secretary
Ak-Chin Indian Community Council